



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
Denver, CO 80202-1129
Phone 800-227-8917
www.epa.gov/region8

AUG 1 - 2017

Ref: 8ENF-AT

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Plant Manager
Henningsen Cold Storage Company
21435 NW Cherry Lane
Hillsboro, Oregon 97124

Re: Notice of Noncompliance (NON) - Clean Air Act (CAA) section 112(r)(7)

Dear Plant Manager:

On December 13, 2016, the U.S. Environmental Protection Agency inspected the Henningsen Cold Storage Company (HCSC), located at 5200 11th Avenue South in Grand Forks, North Dakota, to evaluate compliance with section 112(r)(7) of the CAA and with the regulations of the Risk Management Program (RMP).

The inspection revealed one compliance deficiency with the facility's implementation of CAA section 112(r)(7)

Based on the facts and circumstances surrounding the noncompliance at this facility, the EPA is exercising its discretion and is not taking a penalty action for failure to comply with CAA section 112(r)(7). Instead, this office is transmitting this NON to give HCSC an opportunity to immediately resolve the deficiency. **This office is authorized to issue the NON on a one-time basis only. Non-compliance identified subsequent to the NON being issued will result in penalties being assessed against that facility.**

To resolve this matter, **within 30 days of receipt of this letter**, HCSC must submit a signed Statement of Certification (enclosed) confirming that HCSC is in compliance with CAA section 112(r)(7) and that the specific deficiency identified in paragraph 1 below has been corrected. If the Statement of Certification is not submitted in the time specified, HCSC may be subject to penalties for failure to comply with CAA section 112(r)(7).

CAA 112(r)(7) – RMP

1. **Requirement found at Subpart D – Prevention Program – Safety Information [40 CFR 68.65(d)(2)]:** The owner or operator shall document that equipment complies with recognized and generally accepted good engineering practices.

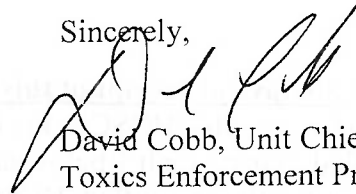
- Industry standards such as IIAR 2-2014 section 6.10.2 states that: Doors shall be equipped with panic hardware. One of the two doors did not have panic hardware.
- Industry standards such as IIAR 2-2014 section 6.7.1 states that: Each machinery room shall have access to a minimum of two eyewash/safety showers located one each inside and outside of the room. At the time of the inspection HCS did not have a shower installed outside the machinery room that met the location requirements.
- Industry standards such as IIAR 2-2014 section 6.12.2 states that: A clearly identified control switch for emergency ventilation with a tamper-resistant cover shall be located outside the machinery room and adjacent to the designated principal machinery room door. The switch shall provide "ON/AUTO" override capability for emergency ventilation. The function of the switch shall be clearly marked by signage near the controls. The switch was not tamper-resistant and was not clearly labelled.
- Industry standards such as IIAR 2-2014 section 6.13.3 states that: Machinery rooms shall be provided with ammonia detection and alarm in accordance with Sections 17.2–17.6 and the following features: Audible and visual alarms shall be provided inside the room to warn that access to the room is restricted to authorized personnel and emergency responders when the alarm has activated. Additional audible and visual alarms shall be located outside of each entrance to the machinery room. HCS did not have any alarms outside each entrance.

The enclosed Statement of Certification shall be signed and mailed to the address below within 30 days receipt of this letter:

Jeff Meyer, P.E.
US EPA, Region VIII (8ENF-AT)
1595 Wynkoop Street
Denver, Colorado 80202

If you have questions related to this correspondence or the inspection findings, or if you need any clarification regarding compliance issues, please contact Jeff Meyer at 303-312-6319 or meyer.jeff@epa.gov.

Sincerely,



David Cobb, Unit Chief
Toxics Enforcement Program
Office of Enforcement, Compliance, and
Environmental Justice

STATEMENT OF CERTIFICATION

Henningsen Cold Storage Company

I certify that I am authorized to respond to this Notice of Noncompliance (NON) and, on behalf of Henningsen Cold Storage Company (HCSC), I certify under penalty of perjury that HCSC is in compliance with Section 112(r)(7) of the CAA and that the deficiency listed in this NON has been corrected. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

(Name)

(Signature)

(Title)

(Date)